

**3598. Adulteration of tomato paste and tomato conserve. U. S. v. 1 Case of Tomato Paste and 5 Cases of Tomato Conserve. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5659. I. S. Nos. 6439-h, 6440-h. S. No. E-19.)

On April 2, 1914, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 case containing 24 five-pound cans of tomato paste, 4 cases each containing 20 five-pound cans of tomato conserve, and 1 case containing 100 one-pound cans of tomato conserve, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the product had been shipped on or about March 16, 1914, and transported from the State of New York into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The tomato paste was labeled: "Parma Brand Conserva Di Pomodoro Tomato Paste. This is the first concentrated tomato paste made in America. It is manufactured with the latest improved machinery under the strictest sanitary conditions and by men of long experience from Parma, Italy. It is made from the best selected ripe Jersey tomatoes and is guaranteed to be free from any color or chemical substance. It is found very convenient for preparing spaghetti, rice, meats, or any dish requiring tomatoes and is a delicious flavoring and coloring for soups and sauces. Used by all first class hotels and restaurants. Best in the world. Parma, Luigi Vecchi, Inc., New-York. Factory, Hazlet, N. J. Contents 15 oz. net. Guaranteed by Luigi Vecchi, Inc., under the Food and Drug Act, June 30, 1906, Serial No. 44720." The tomato conserve was labeled: "Conserva Di Tomato—Packed by our special process Rossa Guaranteed by American Conserve Co., Under the Food and Drug Act, June 30, 1906. Serial No. 9270." (Picture of whole ripe tomato) "Contains 1-10 of 1% of Benzoate of Soda and 15% of Salt. Marca Registrata This can contains 15 oz. net weight. Tomato Conserve—American Conserve Co., New York. Directions—For one pound of macaroni use one teaspoonful dissolved in water. Add the same quantity for each pound of macaroni. The same is used for Roast Meats, Stews, etc., etc. It flavors the meat and gives a nice coloring." (Directions in Italian.)

Adulteration of the product was alleged in the libel for the reason that said product and contents of said cans consisted in part of a decomposed vegetable substance.

On May 30, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *February 19, 1915.*